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REMARKS

This response is filed in conjunction with the filing of an RCE and is responsive to the Office Action mailed on November 14, 2006. By way of this amendment, claim 1 has been amended and new claim 21 is presented. Claims 9-16 were withdrawn by the Examiner pursuant to a restriction requirement. Accordingly, claims 1-8, 17, 18, 20 and 21 remain present in this application. Applicants respectfully request re-examination and allowance of the present application.

Applicants would like to thank Examiner Tuan To for the courtesies extended to Applicants' attorney, Kevin Grzelak, during a telephonic interview conducted on January 24, 2007. During the interview claims 1 and 20 were discussed with regard to the rejection under 35 U.S.C. §112, second paragraph, and the rejection under 35 U.S.C. §102(b) based on Ribak. Specifically, Applicants' attorney pointed out to the Examiner that the "agent" recited in claim 1 is a software agent, and that the agent is executed by the compute platform as set forth in claim 20, and hence the agent cannot be interpreted to be the vehicle driver. Applicants' attorney further suggested amending claim 1 to include the limitation of claim 20 or, alternately, amending claim 20 to include the limitations of claim 1, either of which would include features already considered by the Examiner in examination. Nonetheless, the Examiner stated that such a proposed amendment would require new consideration and thus would not be entered and would require the filing of an RCE. Further, Applicants suggested amending claim 1 to recite that the agent is a "software agent" for purposes of clarification. The Examiner indicated that such an amendment would also require the filing of an RCE. While Applicants disagree with the position taken by the Examiner with regard to the need to file an RCE, Applicants have nonetheless filed an RCE and amended claim 1 to expressly recite "software agent" to expedite allowance of the present application. In addition, Applicants have added new claim 21 which includes all the limitations of claim 1 combined with the limitations of claim 20, and further recites that the compute platform

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includes a processor and memory. The aforementioned amendments are believed to place the application in condition for allowance, which action is respectfully solicited.

In the Office Action mailed on November 14, 2006, the Examiner rejected claim 20 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Examiner indicated that claim 21 recites “the platform stores and executes the agent,” and that it is not clear what the Applicants intend to claim “executes the agent.” As pointed out during the interview, the agent is implemented as software which in claims 20 and 21 is executed by a compute platform. The amendment to claim 1 clarifies that the agent is a software agent and thus removes any possible indefiniteness from the interpretation of claim 20. Accordingly, Applicants respectfully request withdrawal of the rejection of claim 20 under 35 U.S.C. §112, second paragraph.

The Examiner also rejected claims 1-8, 17, 18 and 20 under 35 U.S.C. §102(b) as being anticipated by Ribak (U.S. Patent Publication No. 2002/0085043 A1). The Examiner is of the position that Ribak discloses each and every feature set forth in claim 1, as previously presented. Specifically, the Examiner stated that Ribak inherently discloses the vehicle driver who plays a role as an agent who can perform filtering personal context information by using set-up screens to input user preferences, and also download such preferences from said storage device. Applicants respectfully traverse this rejection.

As discussed during the interview, Applicants submit that the agent set forth in claim 1 is a software agent, as opposed to driver of a vehicle. For clarification purposes, Applicants have amended claim 1 to change “agent” to “software agent” to make this point clear. Support for the amendment adding “software” to claim 1 can be found throughout the specification. For example, paragraph 39 of the application provides that the VCSI host platform 30 includes a compute platform and memory for storing and executing a plurality of software routines... the VCSI host platform 30 stores and executes HMI applications, service agents, context advisors, and various other applications to perform program services. The software routines

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implemented in the VCSI host platform 30 may employ object-oriented programming, for example, JAVA. Paragraph 78 provides the vehicle context advisor may be implemented in software in the VCSI host platform 30. Paragraph 104 provides the environmental context advisor may be implemented as software stored and executed in the VCSI host platform 30.

Applicants submit that the Ribak does not disclose a software agent performing context filtering and downloading requested personal context information, environmental context information and vehicle context information to one or more of the vehicle devices. Clearly, the driver is not a software agent, and nor can the Examiner maintain the position that a vehicle driver's state of mind somehow equates to a software agent. Clearly, a software agent is stored in memory and executed by a processor to perform the recited functions set forth in claim 1, and the Ribak reference fails to disclose this feature in combination with the claimed system.

Additionally, the Examiner stated that Ribak shows an identifier that identifies personal context information, environmental context information, and vehicle context information. Applicants submit that the Ribak patent publication discloses a context-responsive display system for displaying graphic user interface elements to provide information to the driver of the vehicle. The Ribak system includes an in-vehicle display 10 and a processor 30 for displaying vehicle function monitors 40. The items of information shown in the display are set according to driver preferences. The appearance of the display, as well as settings, may be set according to specific driver preferences stored in memory of processor 30. The personal preferences may be input by a driver via setup screens on display 10, or other methods such as input from a PDA or an MP3 player by an infrared link, according to some examples. While driver preferences are input to processor 30 for use in the display system, the Ribak display system simply does not analyze received information and identify the information related to a person as personal context information, identify the information related to a person as personal context information, and identify the information related to the vehicle as vehicle context information.

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In contrast to the Ribak patent publication, Applicants' claimed invention, as recited in claim 1, as amended, is directed to a system for providing and delivering personalized context information for use with onboard vehicle devices. The claimed system includes an input accessing and receiving context information and an identifier analyzing the received information and identifying the information related to a person as personal context information, identifying information related to the environment as environmental context information, and identifying the information related to the vehicle as vehicle context information. The claimed system also includes a data storage device having memory storing the personal context information, the environmental context information, and the vehicle context information. An interface communicates the data storage device with a plurality of onboard vehicle devices. The claimed system further includes a software agent performing context filtering and downloading personal context information, environmental context information, and vehicle context information to one or more of the vehicle devices.

In order to anticipate a claim, a reference must teach each and every limitation of the claim. Additionally, to qualify as an anticipatory reference under 35 U.S.C. §102(b), the reference must have been published more than one year prior to Applicants' priority date. Applicants note that the claims in the present application are entitled to a priority date based on a provisional application filed on November 12, 2002, which is less than one year from the earliest publication date of the Ribak patent application. Accordingly, the rejection based on 35 U.S.C. §102(b) is improper.

Nonetheless, Applicants submit that Ribak fails to disclose a system of providing and delivering personal context information that employs an input, an identifier, a data storage device, an interface and an agent, as set forth in claim 1, as amended. Ribak fails to disclose the identifier analyzing the received information and identifying the information related to a person as personal context information, identifying the information related to the environment as environmental context information, and identifying the information related to the vehicle as vehicle context information. Additionally, Ribak does not disclose the storage of the personal

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context information, the environmental context information and the vehicle context information, the interface, and a software agent performing context filtering and downloading requesting personal context information, environmental context information, and vehicle context information to one or more of the vehicle devices. As discussed above, the vehicle driver in Ribak clearly is not a software agent. Additionally, Ribak simply stores personal preferences that are learned and input into memory and a processor and makes the personal preference information available. This is completely different from the claimed invention which analyzes the information and identifies the information as related to a person as personal context information, identifies the information related to the environment as environmental context information, and identifies the information related to a vehicle as vehicle context information.

Accordingly, Applicants submit that Ribak fails to disclose each and every element set forth in claim 1, as amended. Accordingly, claims 1-8, 17, 18 and 20 are not anticipated by Ribak, and the rejection of these claims under 35 U.S.C. §102(b) should therefore be withdrawn, which action is respectfully solicited.

Applicants have added new claim 21 which includes the limitations set forth in claim 1 and claim 20, in addition to reciting the compute platform comprises a processor and memory. Claim 21 should be allowed for reasons set forth above with respect to the rejection of claim 1.

By way of the foregoing discussion, Applicants have demonstrated that the claims, as amended, are not anticipated by Ribak, and that the rejection of claims 1-8, 17, 18 and 20 under 35 U.S.C. §102(b) should therefore be withdrawn, and that claim 21 should also be allowed.

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In view of the above remarks and amendments, it is submitted that claims 1-8, 17, 18, 20 and 21, as amended, define patentable subject matter and are in condition for allowance, which action is respectfully solicited. If the Examiner has any questions regarding the patentability of any of the claims, the Examiner is encouraged to contact Applicants' undersigned attorney at the Examiner's convenience.

Respectfully submitted,

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